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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No.: 8:22-cv-02279-FWS-ADS

Date: February 6, 2023

Title: Leemanuel Weilch v. HO Properties LLC et al

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Present: **HONORABLE FRED W. SLAUGHTER, UNITED STATES DISTRICT JUDGE**

Melissa H. Kunig

Deputy Clerk

N/A

Court Reporter

Attorneys Present for Plaintiff:

Not Present

Attorneys Present for Defendant:

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE**

The court is in receipt of the Complaint filed in this action, which asserts a claim for injunctive relief arising out of an alleged violation of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12010 *et seq.*, and a claim for damages pursuant to California’s Unruh Civil Rights Act (“Unruh Act”), Cal. Civ. Code §§ 51-53; California’s Disabled Persons Act, Cal. Civ. Code § 54 *et seq.*; and California’s Unfair Competition Act, Cal. Bus. & Prof. Code § 17200 *et seq.* (Dkt. 1.) The court notes that it possesses only supplemental jurisdiction over Plaintiff’s California state law claims. *See* 28 U.S.C. § 1337(a).

The supplemental jurisdiction statute “reflects the understanding that, when deciding whether to exercise supplemental jurisdiction, ‘a federal court should consider and weigh in each case, and at every stage of the litigation, the values of judicial economy, convenience, fairness, and comity.’” *City of Chicago v. Int’l Coll. of Surgeons*, 522 U.S. 156, 173 (1997) (emphasis added) (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988)). Given relevant authority on the court’s exercise of supplemental jurisdiction, including but not limited to Ninth Circuit’s decisions in *Arroyo v. Rosas*, 19 F.4th 1202 (9th Cir. 2021) and *Vo v. Choi*, 49 F.4th 1167 (9th Cir. 2022), the court **ORDERS** Plaintiff to show cause in writing why this court should exercise supplemental jurisdiction over the Unruh Act claim and any other state law claim asserted in the Complaint on or before **February 13, 2023, at 5:00 p.m.**

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Failure to adequately comply with the court's order may result in dismissal of this action with prejudice and without further notice. *See Fed. R. Civ. P. 41(b); Link v. Wabash R.R.*, 370 U.S. 626, 629 (1962) (“The authority of a federal trial court to dismiss a plaintiffs action with prejudice because of his failure to prosecute cannot seriously be doubted.”); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 693, 689 (9th Cir. 2005) (“[C]ourts may dismiss under Rule 41(b) *sua sponte*, at least under certain circumstances.”); *Ash v. Cvetkov*, 739 F.2d 493, 496 (9th Cir. 1984) (“It is within the inherent power of the court to *sua sponte* dismiss a case for lack of prosecution.”).

**IT IS SO ORDERED.**

Initials of Deputy Clerk: mku